

# Applying for PPP Forgiveness

As Of May 26 2020

Based on Form 3508 (released 5/20)

And IFR 136/Borrower (5/22)

# **Agenda**

- 1. Overview to the PPP Forgiveness Process Application
  - SBA Form 3508
- 2. Costs Eligible for Forgiveness
- 3. Documents Required
- 4. Forgiveness Application (with worksheet and Schedule A)
- 5. Updates / More Detail from IFR 136 (issued May 22 2020)

### For The Next 45 Minutes or so...

### **This Presentation Will**

- Summarize eligible costs for forgiveness
- Review documents required
- Explain safe harbor and exception
- Go over contents of
  - Schedule A & Worksheet
  - Application for Forgiveness

### **This Presentation Will Not**

- Go over detailed calculations
- Review every line of every form, schedule and worksheet
- Give specific advice for your business

# **PPP Forgiveness Overview**

# **Applying for PPP Loan Forgiveness**

- Forgiveness Forms -11 pages
- Breaks into five pieces; 1 and 2 must be submitted to Lender:
  - 1. PPP Forgiveness Application and Attestation (pp 3 & 4)
    - 1. Application instructions (pp 1 & 2)
  - 2. Schedule A (p 6)
    - 1. Schedule A instructions (p 5)
  - 3. Schedule A worksheet (p 9)
    - 1. Schedule A worksheet instructions (pp 7-8)
  - 4. Documents Required with Submission and Documents to Retain (p 10)
  - 5. Borrower Demographics (p 11)

# **What You Submit**

### And back-up records that we will go over

0	Paycheck Protection Program Loan Forgiveness Application		Control Number 3245-0407 Expiration Date: 10/31/2020	
	PPP Loan Forgiveness Calculati			By Signing Below, You Make the Fo
	egal Name ("Borrower")			The authorized representative of the
Be	asiness Address	Business TIN (EIN, SSN)	Business Phone	•
		Primary Contact		The dollar amount for wh     was used to pay     interest payment
SBA PPP Loan Number:	Lender PPP Lo	an Number:		<ul> <li>includes all appl</li> </ul>
PPP Loan Amount:	PPP Loan Disbo	arsement Date:		salary/hourly wa does not include
Employees at Time of Loan Ap	plication:			<ul> <li>does not exceed individual/gener</li> </ul>
Employees at Time of Forgiven	ess Application:			I understand that if the fu
EIDL Advance Amount:	EIDL Applicati	on Number:		of loan amounts and/or ci
Payroll Schedule: The frequence	y with which payroll is paid to employees is			The Borrower has accura
☐ Weekly ☐ Biweekly	(every other week)   Twice a mon	th  Monthly	□ Other	requesting forgiveness.
Covered Period:	to		70.00 to 9.00 (0.00)	I have submitted to the L (as applicable) prior to Fo
	riod, if applicable:			payments, and business u
				The information provide
If Borrower (together with affil	iates, if applicable) received PPP loans in	excess of \$2 million, check	here: 🗆	true and correct in all ma
Forgiveness Amount Calculation	n:			an SBA-guaranteed loan five years and/or a fine of
Payroll and Nonpayroll Costs				of not more than \$5,000;
	amount from PPP Schedule A, line 10):			more than thirty years and
Line 2. Business Mortgage Inter	rest Payments:			The tax documents I have
Line 3. Business Rent or Lease	Payments:			to the IRS and/or state to share the tax information
Line 4. Business Utility Paymen	ts:			Office of Inspector Gene
				I understand, acknowled
	alency (FTE) and Salary/Hourly Wage Reduction (enter the amount from PPP Se			the Borrower's eligibilit
	s 1, 2, 3, and 4, then subtract the amount ent			information requested by denial of the Borrower's
	(enter the number from PPP Schedule A, li	C. Company		The Borrower's eligibility for loan
Ver 1	tomer are manner mont tree Schedule A, in			SBA through the date of this applic
Potential Forgiveness Amounts Line 8. Modified Total (multiply	y line 6 by line 7):	9		SBA determines that the Borrower
Line 9. PPP Loan Amount:				Signature of Authorized Representa
Line 10. Payroll Cost 75% Requi	rement (divide line 1 by 0.75):			Signature of Authorized Representa
Forgiveness Amount	to the smallest of lines 8, 0, and 100			Print Name
Line 11. Forgiveness Amount (er	ter the smallest of lines 8, 9, and 10):	0)		Time value

	Paycheck Protection Pro Loan Forgiveness Applica			*	Paycheck Protection Program OMI Loan Forgiveness Application	B Control Number 3245-0 Expiration Date: 10/31/2
By Signin	g Below, You Make the Following Representations and Certific	cations on Behalf of the Borrower:			PPP Schedule A	
The autho	rized representative of the Borrower certifies to all of the below	by initialing next to each one.		PPP Schedule A Wo	rksheet, Table 1 Totals	
_	The dollar amount for which forgiveness is requested:  was used to pay costs that are eligible for forgiveness interest payments; business rent or lease payments; o includes all applicable reductions due to decreases in salary/hourly wage reductions; does not include nonpayroll costs in excess of 25% o does not exceed eight weeks' worth of 2019 compen individual/general partner, capped at \$15,385 per ind I understand that if the funds were knowingly used for unauth of loan amounts and/or civil or criminal fraud charges.	t (payroll costs to retain employees; business mort, r business utility payments); the number of full-time equivalent employees and of the amount requested; and sation for any owner-employee or self-employed ividual.	1	Line 2. Enter Avera Line 3. Enter Salar If the avera Schedule A Covered Pe wage betwe 3.	Compensation (Box 1) from PPP Schedule A Worksheet, Table 1:  age FTE (Box 2) from PPP Schedule A Worksheet, Table 1:  //Hourly Wage Reduction (Box 3) from PPP Schedule A Worksheet, Table 1:  ge annual salary or hourly wage for each employee listed on the PPP  Worksheet, Table 1 during the Covered Period or the Alternative Payroll  riod was at least 75% of such employee's average annual salary or hourly  en January 1, 2020 and March 31, 2020, check here □ and enter 0 on line  rksheet, Table 2 Totals	
	The Borrower has accurately verified the payments for the elip	gible payroll and nonpayroll costs for which the B	orrower is	Line 4. Enter Cash	Compensation (Box 4) from PPP Schedule A Worksheet, Table 2:	
_	requesting forgiveness.  I have submitted to the Lender the required documentation ve (as applicable) prior to February 15, 2020, and eligible busine payments, and business utility payments.  The information provided in this application and the inform	ss mortgage interest payments, business rent or lea ation provided in all supporting documents and fo	orms is	Non-Cash Compensa	ige FTE (Box 5) from PPP Schedule A Worksheet, Table 2: tition Payroll Costs During the Covered Period or the Alternative Payroll Covered Perion nt paid by Borrower for employer contributions for employee health insurance:	od
	true and correct in all material respects. I understand that kn an SBA-guaranteed loan is punishable under the law, includin five years and/or a fine of up to \$250,000; under 15 USC 645 of not more than \$5,000; and, if submitted to a Federally insur- more than thirty years and/or a fine of not more than \$1,000,000.	g 18 USC 1001 and 3571 by imprisonment of not by imprisonment of not more than two years and/or ed institution, under 18 USC 1014 by imprisonme	more than or a fine		nt paid by Borrower for employer contributions to employee retirement plans: nt paid by Borrower for employer state and local taxes assessed on employee nt:	
_	The tax documents I have submitted to the Lender are consto the IRS and/or state tax or workforce agency. I also und share the tax information with SBA's authorized represents Office of Inspector General, for the purpose of ensuring co I understand, acknowledge, and agree that SBA may reque the Borrower's eligibility for the PPP loan and for loan for information requested by SBA may result in a determinatio denial of the Borrower's loan forgiveness application.	erstand, acknowledge, and agree that the Lende titives, including authorized representatives of the mpliance with PPP requirements and all SBA re is additional information for the purposes of eva giveness, and that the Borrower's failure to prov	r can se SBA eviews. sluating	This amount more than of payments to Total Payroll Costs	trajat to owner-employees/self-employed individual/general partners: tray not be included in PPP Schedule A Worksheet, Table 1 or 2. If there is ne individual included, attach a separate table that lists the names of and	
SBA thro	ower's eligibility for loan forgiveness will be evaluated in accough the date of this application. SBA may direct a lender to dirmines that the Borrower was ineligible for the PPP loan.			Full-Time Equivalent If you have not redu- January 1, 2020 and	wey (IFE) Reduction Calculation ced the number of employees or the average paid hours of your employees between the end of the Covered Period, check here □, skip lines 11 and 12 and enter 1.0 on lin  E during the Borrower's chosen reference period:	e 13.
Signature	of Authorized Representative of Borrower	Date			ge FTE (add lines 2 and 5):	
Print Nam	e	Title	_		tion Quotient (divide line 12 by line 11) or enter 1.0 if FTE Safe Harbor is met:	

## **Alternative Covered Period**

**Covered Period:** eight-week (56-day) Covered Period of your PPP loan. The first day of the Covered Period must be the same as the PPP Loan Disbursement Date.

**Alternative Payroll Covered Period**: Borrowers with a biweekly (or more frequent) payroll schedule may elect to calculate eligible payroll costs using the eight-week (56-day) period that <u>begins on the first day of their first pay period following their PPP Loan Disbursement Date.</u>

For example, if the Borrower received its PPP loan proceeds on Monday, April 20, and the first day of its first pay period following its PPP loan disbursement is Sunday, April 26, the first day of the Alternative Payroll Covered Period is April 26

Borrowers who elect to use the Alternative must apply the Alternative wherever there is a reference to "the Covered Period or the Alternative Payroll Covered Period."

However, Borrowers must apply the Covered Period (not the Alternative Payroll Covered Period) wherever there is a reference to "the Covered Period" only.

# **Required FTE Calculation**

The actual loan forgiveness amount that the Borrower will receive may be less, depending on whether the Borrower's average weekly number of FTE employees during the Covered Period or the Alternative Payroll Covered Period was less than during the Borrower's chosen reference period.

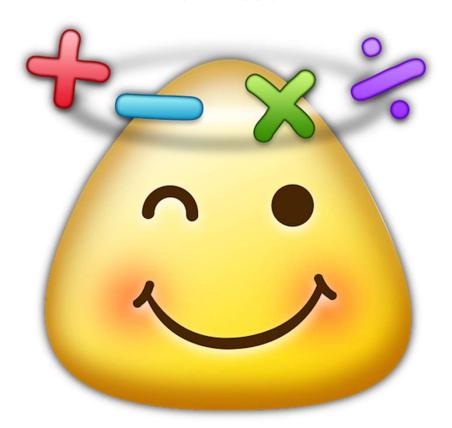
For each employee, for the appropriate period (Covered or Alternate Covered)

- 1. Take the average number of hours paid per week, divide by 40, and round the total to the nearest tenth.
  - The maximum for each employee is capped at 1.0.
- 2. Or, simply assign a 1.0 for employees who work 40 hours or more per week and 0.5 for employees who work fewer hours

# When Completing You Will Need

- PPP Forgiveness Application package:
  - <a href="www.sba.gov/ppp">www.sba.gov/ppp</a> under 'Loan Details and Forgiveness
- Calendar
- Calculator
- Loan documents
- Business records for use when applying
- Patience and...

# Smile!



## **Resource Partners of the SBA**

Texas Gulf Coast Small Business Development Center (SBDC)

713-752-8444

www.sbdc.uh.edu

WBEA Women's Business Center (WBC)

713-681-9232

www.wbeatexas.org/womens-businesscenter **Houston SCORE** 

713-487-6565

www.houston.score.org

## **SBA Resources & Links**

### **For EIDL Loan Applicants**

- 1-800-659-2955
- e-mail <u>disastercustomerservice@sba.</u> <u>gov</u>
- www.sba.gov/fundingprograms/disaster-assistance

### **Houston District Office - SBA**

- 713-773-6500
- Houston@sba.gov
- Twitter: @SBA\_Houston
- www.sba.gov/tx/houston (look under 'Coronavirus')

### **Other SBA District Offices**

www.sba.gov/about-sba/sba-locations

### **PPP Forgiveness Application**

www.sba.gov/document/sba-form--paycheck-protection-program-loan-forgiveness-application

### **PPP Forgiveness Guidance**

### **Most Recent:**

https://home.treasury.gov/system/files/136/PPP-IFR-Loan-Forgiveness.pdf

**General:** <a href="https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/paycheck-protection-program">https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/paycheck-protection-program</a>

# Costs Eligible for Forgiveness

# What is 'Payroll Cost'

### Original IFR III 2 ii f

### Payroll costs consist of

- compensation to employees (whose principal place of residence is the United States) in the form
  of salary, wages, commissions, or similar compensation; cash tips or the equivalent (based on
  employer records of past tips or, in the absence of such records, a reasonable, good-faith
  employer estimate of such tips);
- payment for vacation, parental, family, medical, or sick leave;
- allowance for separation or dismissal;
- payment for the provision of employee benefits consisting of group health care coverage, including insurance premiums, and retirement;
- payment of state and local taxes assessed on compensation of employees;
- and for an independent contractor or sole proprietor,
  - wage, commissions, income, or net earnings from self-employment or similar compensation.

# **Summary of Eligible Costs - Payroll**

- Payroll costs paid and payroll costs incurred during the eight-week (56-day) Covered Period
  - Payroll costs are considered paid on the day that paychecks are distributed or the Borrower originates an ACH credit transaction.
  - Payroll costs are considered incurred on the day that the employee's pay is earned.
  - Payroll costs incurred but not paid during the Borrower's last pay period of the Covered Period are eligible for forgiveness if paid on or before the next regular payroll date.
    - Otherwise, payroll costs must be paid during the Covered Period.
- For each individual employee, the total amount of cash compensation eligible for forgiveness may not exceed an annual salary of \$100,000, as prorated for the covered period.
- Count payroll costs that were both paid and incurred only once.
- For information on what qualifies as payroll costs, see Interim Final Rule on Paycheck Protection Program posted on April 2, 2020 (85 FR 20811).

# **Summary of Eligible Costs – Non Payroll**

### Covered mortgage obligations:

 payments of interest (not including any prepayment or payment of principal) on any business mortgage obligation on real or personal property incurred before February 15, 2020

### Covered rent obligations:

 business rent or lease payments pursuant to lease agreements for real or personal property in force before February 15, 2020

### Covered utility payments:

- business payments for a service for the distribution of electricity, gas, water, transportation, telephone, or internet access for which service began before February 15, 2020
- An eligible nonpayroll cost must be paid during the Covered Period or incurred during the Covered Period and paid on or before the next regular billing date, even if the billing date is after the Covered Period.
- Eligible nonpayroll costs cannot exceed 25% of the total forgiveness amount.
- Count nonpayroll costs that were both paid and incurred only once

# **Documents Required**

# **Documents to Submit for Payroll**

Payroll: Documentation verifying the eligible cash compensation and non-cash benefit payments from the Covered Period or the Alternative Payroll Covered Period consisting of each of the following:

- Bank account statements or third-party payroll service provider reports documenting the amount of cash compensation paid to employees.
- b. Tax forms (or equivalent third-party payroll service provider reports) for the periods that overlap with the Covered Period or the Alternative Payroll Covered Period:
  - i. Payroll tax filings reported, or that will be reported, to the IRS (typically, Form 941); and
  - State quarterly business and individual employee wage reporting and unemployment insurance tax filings reported, or that will be reported, to the relevant state.
- c. Payment receipts, cancelled checks, or account statements documenting the amount of any employer contributions to employee health insurance and retirement plans that the Borrower included in the forgiveness amount (PPP Schedule A, lines (6) and (7)).

# **Document to Submit for FTE**

FTE: Documentation showing (at the election of the Borrower):

- a. the average number of FTE employees on payroll per month employed by the Borrower between February 15, 2019 and June 30, 2019;
- the average number of FTE employees on payroll per month employed by the Borrower between January 1, 2020 and February 29, 2020; or
- c. in the case of a seasonal employer, the average number of FTE employees on payroll per month employed by the Borrower between February 15, 2019 and June 30, 2019; between January 1, 2020 and February 29, 2020; or any consecutive twelveweek period between May 1, 2019 and September 15, 2019.

The selected time period must be the same time period selected for purposes of completing PPP Schedule A, line 11. Documents may include payroll tax filings reported, or that will be reported, to the IRS (typically, Form 941) and state quarterly business and individual employee wage reporting and unemployment insurance tax filings reported, or that will be reported, to the relevant state. Documents submitted may cover periods longer than the specific time period.

# **Documents to Submit for Non Payroll**

Nonpayroll: Documentation verifying existence of the obligations/services prior to February 15, 2020 and eligible payments from the Covered Period.

- a. Business mortgage interest payments: Copy of lender amortization schedule and receipts or cancelled checks verifying eligible payments from the Covered Period; or lender account statements from February 2020 and the months of the Covered Period through one month after the end of the Covered Period verifying interest amounts and eligible payments.
- b. Business rent or lease payments: Copy of current lease agreement and receipts or cancelled checks verifying eligible payments from the Covered Period; or lessor account statements from February 2020 and from the Covered Period through one month after the end of the Covered Period verifying eligible payments.
- Business utility payments: Copy of invoices from February 2020 and those paid during the Covered Period and receipts, cancelled checks, or account statements verifying those eligible payments.

# Required to Keep (6 Years); Not Submit

PPP Schedule A Worksheet or its equivalent and the following:

- Documentation supporting the listing of each individual employee in PPP Schedule A Worksheet Table 1, including the "Salary/Hourly Wage Reduction" calculation, if necessary.
- Documentation supporting the listing of each individual employee in PPP Schedule A Worksheet Table 2; specifically, that
  each listed employee received during any single pay period in 2019 compensation at an annualized rate of more than
  \$100,000.
- Documentation regarding any employee job offers and refusals, firings for cause, voluntary resignations, and written requests by any employee for reductions in work schedule.
- d. Documentation supporting the PPP Schedule A Worksheet "FTE Reduction Safe Harbor."

All records relating to the Borrower's PPP loan, including documentation submitted with its PPP loan application, documentation supporting the Borrower's certifications as to the necessity of the loan request and its eligibility for a PPP loan, documentation necessary to support the Borrower's loan forgiveness application, and documentation demonstrating the Borrower's material compliance with PPP requirements. The Borrower must retain all such documentation in its files for six years after the date the loan is forgiven or repaid in full, and permit authorized representatives of SBA, including representatives of its Office of Inspector General, to access such files upon request.

# PPP Forgiveness Application

Schedule A Worksheet Safe Harbor & Exception

# **Schedule A Worksheet**



Paycheck Protection Program Loan Forgiveness Application OMB Control Number 3245-0407 Expiration Date: 10/31/2020

### PPP Schedule A Worksheet

#### Table 1: List employees who:

- Were employed by the Borrower at any point during the Covered Period or the Alternative Payroll Covered Period whose principal place of residence is in the United States; and
- Received compensation from the Borrower at an annualized rate of less than or equal to \$100,000 for all pay periods in 2019 or were not employed by the Borrower at any point in 2019.

Employee's Name	Employee Identifier	Cash Compensation	Average FTE	Salary / Hourly Wage Reduction
FTE Reduction Exceptions:				
Totals:		Box 1	Box 2	Box 3

#### Table 2: List employees who:

- Were employed by the Borrower at any point during the Covered Period or the Alternative Payroll Covered Period whose principal place of residence is in the United States; and
- Received compensation from the Borrower at an annualized rate of more than \$100,000 for any pay period in 2019.

Employee's Name	Employee Identifier	Cash Compensation	Average FTE
	+		
Totals:		Box 4	Box 5

Attach additional tables if additional rows are needed.

### FTE Reduction Safe Harbor:

- Step 1. Enter the borrower's total average FTE between February 15, 2020 and April 26, 2020. Follow the same method that was used to calculate Average FTE in the PPP Schedule A Worksheet Tables. Sum across all employees and enter:
- Step 2. Enter the borrower's total FTE in the Borrower's pay period inclusive of February 15, 2020. Follow the same method that was used in step 1: \_\_\_\_\_\_\_.
- Step 3. If the entry for step 2 is greater than step 1, proceed to step 4. Otherwise, the FTE Reduction Safe Harbor is not applicable and the Borrower must complete line 13 of PPP Schedule A by dividing line 12 by line 11 of that schedule.
- Step 4. Enter the borrower's total FTE as of June 30, 2020:
- Step 5. If the entry for step 4 is greater than or equal to step 2, enter 1.0 on line 13 of PPP Schedule A; the FTE Reduction Safe Harbor has been satisfied. Otherwise, the FTE Reduction Safe Harbor does not apply and the Borrower must complete line 13 of PPP Schedule A by dividing line 12 by line 11 of that schedule.



## Sched A Worksheet - Table 1

### Table 1: List employees who:

- Were employed by the Borrower at any point during the Covered Period or the Alternative Payroll Covered Period whose principal place of residence is in the United States; and
- Received compensation from the Borrower at an annualized rate of less than or equal to \$100,000 for all pay periods in 2019 or were not employed by the Borrower at any point in 2019.

Employee's Name	Employee Identifier	Cash Compensation	Average FTE	Salary / Hourly Wage Reduction
FTE Reduction Exceptions:				
Totals:		Box 1	Box 2	Box 3

## Sched A Worksheet - Table 2

Table 2: List employees who:

 Were employed by the Borrower at any point during the Covered Period or the Alternative Payroll Covered Period whose principal place of residence is in the United States; and

Received compensation from the Borrower at an annualized rate of more than \$100,000 for any pay period in 2019.

Employee's Name	Employee Identifier	Cash Compensation	Average FTE
Totals:		Box 4	Box 5

Attach additional tables if additional rows are needed.

## **FTE Reduction Safe Harbor**

Borrower is exempt from the reduction in loan forgiveness based on FTE employees described above if both of the following conditions are met:

- 1. the Borrower reduced its FTE employee levels in the period beginning February 15, 2020, and ending April 26, 2020; and
- 2. the Borrower then restored its FTE employee levels by not later than June 30, 2020 to its FTE employee levels in the Borrower's pay period that included February 15, 2020

# **FTE Reduction Exception**

### Indicate the FTE of

- 1. any positions for which the Borrower made a good-faith, written offer to rehire an employee during the Covered Period or the Alternative Payroll Covered Period which was rejected by the employee; and
- any employees who during the Covered Period or the Alternative Payroll Covered Period
  - 1. were fired for cause
  - 2. voluntarily resigned, or
  - 3. voluntarily requested and received a reduction of their hours.
- 3. In all of these cases, include these FTEs only if the position was not filled by a new employee.
- 4. Any FTE reductions in these cases do not reduce the Borrower's loan forgiveness

# PPP Forgiveness Application Schedule A

# **Schedule A**

	Paycheck Protection Program Loan Forgiveness Application	OMB Control Number 3245-0407 Expiration Date: 10/31/2020
	PPP Schedule A	
PPP Sci	nedule A Worksheet, Table 1 Totals	
Line 1.	Enter Cash Compensation (Box 1) from PPP Schedule A Worksheet, Table 1:	-
Line 2.	Enter Average FTE (Box 2) from PPP Schedule A Worksheet, Table 1:	
Line 3.	Enter Salary/Hourly Wage Reduction (Box 3) from PPP Schedule A Worksheet, Table 1: If the average annual salary or hourly wage for each employee listed on the PPP Schedule A Worksheet, Table 1 during the Covered Period or the Alternative Payroll Covered Period was at least 75% of such employee's average annual salary or hourly wage between January 1, 2020 and March 31, 2020, check here $\Box$ and enter $0$ on line 3.	
PPP Sc	nedule A Worksheet, Table 2 Totals	
Line 4.	Enter Cash Compensation (Box 4) from PPP Schedule A Worksheet, Table 2:	
Line 5.	Enter Average FTE (Box 5) from PPP Schedule A Worksheet, Table 2:	
Non-Ca	sh Compensation Payroll Costs During the Covered Period or the Alternative Payroll Covered I	eriod
Line 6.	Total amount paid by Borrower for employer contributions for employee health insurance:	
Line 7.	Total amount paid by Borrower for employer contributions to employee retirement plans:	
Line 8.	Total amount paid by Borrower for employer state and local taxes assessed on employee compensation:	
Compe	nsation to Owners	
Line 9.	Total amount paid to owner-employees/self-employed individual/general partners: This amount may not be included in PPP Schedule A Worksheet, Table 1 or 2. If there is more than one individual included, attach a separate table that lists the names of and payments to each.	
Total P	ayroll Costs	
Line 10	Payroll Costs (add lines 1, 4, 6, 7, 8, and 9):	
If you h	me Equivalency (FTE) Reduction Calculation ave not reduced the number of employees or the average paid hours of your employees between 1, 2020 and the end of the Covered Period, check here □, skip lines 11 and 12 and enter 1.0 on	
Line 11	. Average FTE during the Borrower's chosen reference period:	
Line 12	. Total Average FTE (add lines 2 and 5):	
Line 13	FTE Reduction Quotient (divide line 12 by line 11) or enter 1.0 if FTE Safe Harbor is met:	

Line 1.	Enter Cash Compensation (Box 1) from PPP Schedule A Worksheet, Table 1:	
Line 2.	Enter Average FTE (Box 2) from PPP Schedule A Worksheet, Table 1:	
Line 3.	Enter Salary/Hourly Wage Reduction (Box 3) from PPP Schedule A Worksheet, Table 1: If the average annual salary or hourly wage for each employee listed on the PPP Schedule A Worksheet, Table 1 during the Covered Period or the Alternative Payroll Covered Period was at least 75% of such employee's average annual salary or hourly wage between January 1, 2020 and March 31, 2020, check here □ and enter 0 on line 3.	

PPP Schedule A Worksheet, Table 2 Totals			
Line 4.	Enter Cash Compensation (Box 4) from PPP Schedule A Worksheet, Table 2:		
Line 5.	Enter Average FTE (Box 5) from PPP Schedule A Worksheet, Table 2:		

Non-Ca	Non-Cash Compensation Payroll Costs During the Covered Period or the Alternative Payroll Covered Period			
Line 6.	Total amount paid by Borrower for employer contributions for employee health insurance:			
Line 7.	Total amount paid by Borrower for employer contributions to employee retirement plans:			
Line 8.	Total amount paid by Borrower for employer state and local taxes assessed on employee compensation:			

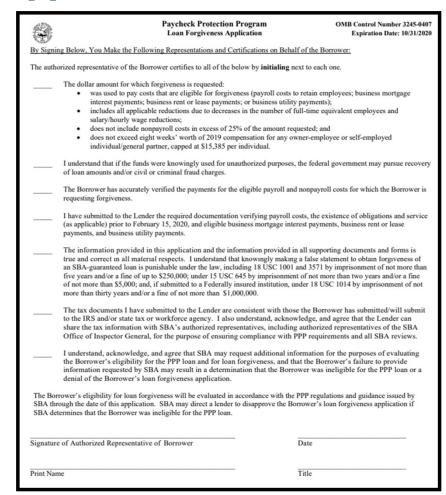
# Line 9. Total amount paid to owner-employees/self-employed individual/general partners: This amount may not be included in PPP Schedule A Worksheet, Table 1 or 2. If there is more than one individual included, attach a separate table that lists the names of and payments to each. Total Payroll Costs Line 10. Payroll Costs (add lines 1, 4, 6, 7, 8, and 9):

Full-Time Equivalency (FTE) Reduction Calculation If you have not reduced the number of employees or the average paid hours of your employees between January 1, 2020 and the end of the Covered Period, check here □, skip lines 11 and 12 and enter 1.0 on line	e 13.
Line 11. Average FTE during the Borrower's chosen reference period:	
Line 12. Total Average FTE (add lines 2 and 5):	
Line 13. FTE Reduction Quotient (divide line 12 by line 11) or enter 1.0 if FTE Safe Harbor is met:	

# PPP Forgiveness Application

### **Forgiveness Application**

Paycheck Prote	ection Program	OM	B Control Number 3245-0407
	ess Application		Expiration Date: 10/31/2020
A.			
PPP Loan Forg	giveness Calculati	on Form	
Business Legal Name ("Borrower")		DBA or Traden:	ame, if applicable
Business Address		Business TIN (EIN, SSN)	Business Phone
		Primary Contact	
SBA PPP Loan Number:	Lender PPP Los	ın Number:	
PPP Loan Amount:	PPP Loan Disbu	rsement Date:	
Employees at Time of Loan Application:			
Employees at Time of Forgiveness Application:			
EIDL Advance Amount:	EIDL Application	on Number:	
Payroll Schedule: The frequency with which payroll is pa	id to employees is:		
☐ Weekly ☐ Biweekly (every other week)	☐ Twice a mon	th	□ Other
Covered Period: to			
Alternative Payroll Covered Period, if applicable:		to	
If Borrower (together with affiliates, if applicable) recei	ved PPP loans in	excess of \$2 million, check	k here: 🗆
Forgiveness Amount Calculation:			
Payroll and Nonpayroll Costs			
Line 1. Payroll Costs (enter the amount from PPP Schedul	le A, line 10):		
Line 2. Business Mortgage Interest Payments:			
Line 3. Business Rent or Lease Payments:			
Line 4. Business Utility Payments:	Line 4. Business Utility Payments:		
Adjustments for Full-Time Equivalency (FTE) and Salary/Hourly Wage Reductions Line 5. Total Salary/Hourly Wage Reduction (enter the amount from PPP Schedule A, line 3):			
Line 6. Add the amounts on lines 1, 2, 3, and 4, then subtract the amount entered in line 5:			
Line 7. FTE Reduction Quotient (enter the number from PPP Schedule A, line 13):			
Potential Forgiveness Amounts Line 8. Modified Total (multiply line 6 by line 7):			
Line 9. PPP Loan Amount:			
Line 10. Payroll Cost 75% Requirement (divide line 1 by 0.75):			
Forgiveness Amount Line 11. Forgiveness Amount (enter the smallest of lines 8,	, 9, and 10):		







#### Paycheck Protection Program Loan Forgiveness Application

OMB Control Number 3245-0407 Expiration Date: 10/31/2020

#### **PPP Loan Forgiveness Calculation Form**

Business Legal Name ("Borrower")		DBA or Tradename, if applicable	
Business Address		Business TIN (EIN, SSN)	Business Phone
			( ) -
		Primary Contact	E-mail Address
SBA PPP Loan Number:	Lender PPP Lo	an Number:	
PPP Loan Amount:	PPP Loan Disbursement Date:		
Employees at Time of Loan Application:			
Employees at Time of Forgiveness Application:			

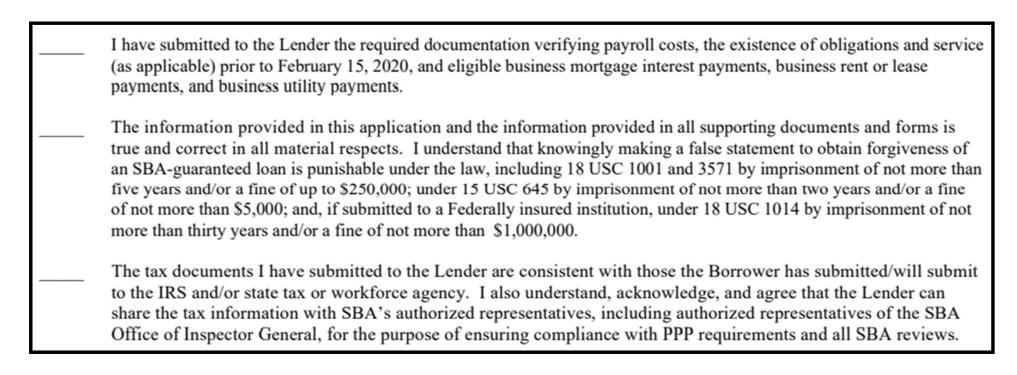
EIDL Advance A	Amount:	EIDL Application N	umber:	
Payroll Schedule: The frequency with which payroll is paid to employees is:				
☐ Weekly	☐ Biweekly (every other week)	☐ Twice a month	$\Box$ Monthly	□ Other
Covered Period:	to			
Alternative Payr	roll Covered Period, if applicable:		to	
If Borrower (together with affiliates, if applicable) received PPP loans in excess of \$2 million, check here: $\Box$				

Payroll and Nonpayroll Costs  Line 1. Payroll Costs (enter the amount from PPP Schedule A, line 10):	
Line 2. Business Mortgage Interest Payments:	
Line 3. Business Rent or Lease Payments:	
Line 4. Business Utility Payments:	

Adjustments for Full-Time Equivalency (FTE) and Salary/Hou Line 5. Total Salary/Hourly Wage Reduction (enter the amount	•	
Line 6. Add the amounts on lines 1, 2, 3, and 4, then subtract	the amount entered in line 5:	
Line 7. FTE Reduction Quotient (enter the number from PPP	Schedule A, line 13):	

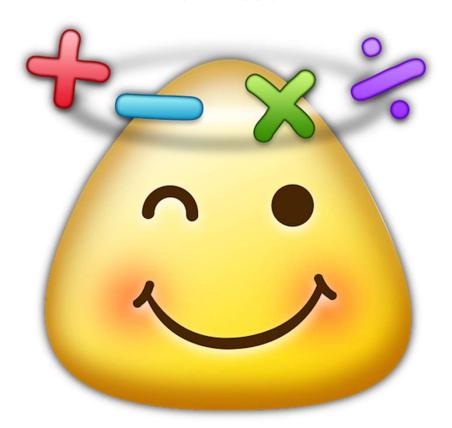
Potential Forgiveness Amounts	
Line 8. Modified Total (multiply line 6 by line 7):	
Line 9. PPP Loan Amount:	
Line 10. Payroll Cost 75% Requirement (divide line 1 by 0.75):	
Forgiveness Amount	
Forgiveness Amount Line 11. Forgiveness Amount (enter the smallest of lines 8, 9, and 10):	

By Signin	g Below, You Make the Following Representations and Certifications on Behalf of the Borrower:
The autho	orized representative of the Borrower certifies to all of the below by initialing next to each one.
	<ul> <li>The dollar amount for which forgiveness is requested:</li> <li>was used to pay costs that are eligible for forgiveness (payroll costs to retain employees; business mortgage interest payments; business rent or lease payments; or business utility payments);</li> <li>includes all applicable reductions due to decreases in the number of full-time equivalent employees and salary/hourly wage reductions;</li> <li>does not include nonpayroll costs in excess of 25% of the amount requested; and</li> <li>does not exceed eight weeks' worth of 2019 compensation for any owner-employee or self-employed individual/general partner, capped at \$15,385 per individual.</li> </ul>
	I understand that if the funds were knowingly used for unauthorized purposes, the federal government may pursue recovery of loan amounts and/or civil or criminal fraud charges.
	The Borrower has accurately verified the payments for the eligible payroll and nonpayroll costs for which the Borrower is requesting forgiveness.



I understand, acknowledge, and agree that SBA may request additional information for the purposes of evaluating the Borrower's eligibility for the PPP loan and for loan forgiveness, and that the Borrower's failure to provide information requested by SBA may result in a determination that the Borrower was ineligible for the PPP loan or a denial of the Borrower's loan forgiveness application.		
The Borrower's eligibility for loan forgiveness will be evaluated in accordance with the PPP regulations and guidance issued by SBA through the date of this application. SBA may direct a lender to disapprove the Borrower's loan forgiveness application if SBA determines that the Borrower was ineligible for the PPP loan.		
Signature of Authorized Representative of Borrower	Date	
Print Name	Title	

### Smile!



### May 22 IFR 136 / Borrower

Pertinent Summary

See the IFR for all details

https://home.treasury.gov/system/files/136/PPP-IFR-SBA-Loan-Review-Procedures-and-Related-Borrower-and-Lender-Responsibilities.pdf

# **IRF 136 -** 2. Loan Forgiveness Process (1 of 2)

- ... complete and submit the Loan Forgiveness Application... 3508 or lender equivalent... to lender.
- ... The lender has 60 days from receipt of a complete application to issue a decision to SBA.
- ...SBA will deduct EIDL Advance Amounts from the forgiveness amount remitted to the Lender...
- If SBA determines in the course of its review that the borrower was ineligible for the PPP loan ... the loan will not be eligible for loan forgiveness.
- The lender is responsible for notifying the borrower of the forgiveness amount.

# **IRF 136 -** 2. Loan Forgiveness Process (2 of 2)

- If only a portion of the loan is forgiven, or if the forgiveness request is denied, any remaining balance ... must be repaid ... on or before the two-year maturity of the loan.
- If the amount remitted by SBA to the lender exceeds the remaining principal balance ... the lender must remit the excess amount, including accrued interest, to the borrower.
- The general loan forgiveness process ... applies only to loan forgiveness applications that are not reviewed by SBA prior to the lender's decision on the forgiveness application.
- In a separate interim final rule ... SBA will describe its procedures for reviewing PPP loan applications and loan forgiveness

# **IRF 136** – 3. Payroll Costs Eligible for Loan Forgiveness a. When must payroll costs be incurred and/or paid to be eligible for forgiveness?

Borrowers may seek forgiveness for payroll costs for the eight weeks beginning on either:

- i. the date of disbursement of the borrower's PPP loan proceeds from the Lender (i.e., the start of the covered period);
- ii. Or the first day of the first payroll cycle in the covered period (the "alternative payroll covered period").
- ... Payroll costs incurred during the borrower's last pay period of the covered period or the alternative payroll covered period are eligible for forgiveness if paid on or before the next regular payroll date; otherwise, payroll costs must be paid during the covered period (or alternative payroll covered period) to be eligible for forgiveness.
- ... this alternative computational method is limited to payroll cycles that are bi-weekly or more frequent,

### IRF 136 - 3a. Example

- A borrower has a bi-weekly payroll schedule (every other week).
- The borrower's eight-week covered period begins on June 1 and ends on July 26.
- The first day of the borrower's first payroll cycle that starts in the covered period is June 7.
- The borrower may elect an alternative payroll covered period for payroll cost purposes that starts on June 7 and ends 55 days later (for a total of 56 days) on August 1.
- Payroll costs paid during this alternative payroll covered period are eligible for forgiveness.
- In addition, payroll costs incurred during this alternative payroll covered period are eligible for forgiveness as long as they are paid on or before the first regular payroll date occurring after August 1.
- Payroll costs that were both paid and incurred during the covered period (or alternative payroll covered period) may only be counted once.

# **IRF 136 -** 3b. Are salary, wages, or commission payments to furloughed employees; bonuses; or hazard pay during the covered period eligible for loan forgiveness?

Yes

# **IRF 136 -** 3c. Are there caps on the amount of loan forgiveness available for owner-employees and self-employed individuals' own payroll compensation?

- Yes... lesser of 8/52 of 2019 compensation... or \$15,385 per individual in total across all businesses.
- In particular ... capped by the amount of their 2019 employee cash compensation and employer retirement and health care contributions made on their behalf.
- Schedule C filers ... by the amount of their owner compensation replacement, calculated based on 2019 net profit.
- General partners ... by the amount of their 2019 net earnings from self-employment (reduced by claimed section 179 expense deduction, unreimbursed partnership expenses, and depletion from oil and gas properties) multiplied by 0.9235.
- No additional forgiveness is provided for retirement or health insurance contributions for self-employed individuals, including Schedule C filers and general partners, as such expenses are paid out of their net self-employment income.

# **IRF 136 -** 4. Nonpayroll Costs Eligible for Loan Forgiveness (1 of 2) a. When must nonpayroll costs be incurred and/or paid to be eligible for forgiveness?

...if it was

- (i) paid during the covered period; or
- (ii) incurred during the covered period and paid on or before the next regular billing date, even if the billing date is after the covered period.

### IRF 136 – 4a Example

A borrower's covered period begins on June 1 and ends on July 26.

- The borrower pays its May and June electricity bill during the covered period and pays its July electricity bill on August 10, which is the next regular billing date.
- The borrower may seek loan forgiveness for its May and June electricity bills, because they were paid during the covered period.
- In addition, the borrower may seek loan forgiveness for the portion of its July electricity bill through July 26 (the end of the covered period), because it was incurred during the covered period and paid on the next regular billing date.
- ... The Administrator believes that this simplified approach to calculation of forgivable nonpayroll costs is also supported by considerations of administrative convenience for borrowers, and the Administrator notes that the 25 percent cap on nonpayroll costs will avoid excessive inclusion of nonpayroll costs.

# **IRF 136** - 4b. Are advance payments of interest on mortgage obligations eligible for loan forgiveness?

No

### **IRF 136** – 5. Reductions to Loan Forgiveness Amount

a. Will a borrower's loan forgiveness amount be reduced if the borrower laid-off or reduced the hours of an employee, then offered to rehire the same employee for the same salary and same number of hours, or restore the reduction in hours, but the employee declined the offer?

No

### FAQ/Summary of IRF 136 (1 of 2)

5b. What effect does a reduction in a borrower's number of full-time equivalent (FTE) employees have on the loan forgiveness amount?

The borrower must first select a reference period:

- (i) February 15, 2019 through June 30, 2019;
- (ii) January 1, 2020 through February 29, 2020;
- (iii) in the case of a seasonal employer, either of the two preceding methods or a consecutive 12-week period between May 1, 2019 and September 15, 2019.

### FAQ/Summary of IRF 136 (2 of 2)

5b. What effect does a reduction in a borrower's number of full-time equivalent (FTE) employees have on the loan forgiveness amount?

If the average number of FTE employees during the covered period or the alternative payroll covered period is less than during the reference period, the total eligible expenses available for forgiveness is reduced proportionally by the percentage reduction in FTE employees.

<u>For example,</u> if a borrower had 10.0 FTE employees during the reference period and this declined to 8.0 FTE employees during the covered period, the percentage of FTE employees declined by 20 percent and thus only 80 percent of otherwise eligible expenses are available for forgiveness.

### **IRF 136** – 5c. What does "full-time equivalent employee" mean?

Full-time equivalent employee means an employee who works 40 hours or more, on average, each week.

# **IRF 136** - 5d. How should a borrower calculate its number of full-time equivalent (FTE) employees? (1 of 2)

... borrowers must divide the average number of hours paid for each employee per week by 40, capping this quotient at 1.0.

For example, an employee who was paid 48 hours per week during the covered period would be considered to be an FTE employee of 1.0.

... less than 40 hours per week, borrowers may choose to calculate ... in one of two ways.

<u>First</u> ...the average number of hours a part-time employee was paid per week during the covered period. For example, if an employee was paid for 30 hours per week on average during the covered period, the employee could be considered to be an FTE employee of 0.75.

## **IRF 136** - 5d. How should a borrower calculate its number of full-time equivalent (FTE) employees? (2 of 2)

<u>Second</u>... borrowers may elect to use a full-time equivalency of 0.5 for 18 each part-time employee.

... must apply (the chosen) method consistently ...

... the borrower shall provide the aggregate total of FTE employees for both the selected reference period and the covered period or the alternative payroll covered period, by adding together all of the employee-level FTE employee calculations.

The borrower must then divide the average FTE employees during the covered period or the alternative payroll covered period by the average FTE employees during the selected reference period, resulting in the reduction quotient.

# **IRF 136** – 5e. What effect does a borrower's reduction in employees' salary or wages have on the loan forgiveness amount?

... a reduction in an employee's salary or wages in excess of 25 percent will generally result in a reduction in the loan forgiveness amount... This reduction calculation is performed on a per employee basis, not in the aggregate.

### IRF 136 – 5e. Example

- A borrower reduced a full-time employee's weekly salary from \$1,000 per week during the reference period to \$700 per week during the covered period.
- The employee continued to work on a full-time basis during the covered period with an FTE of 1.0.
- In this case, the first \$250 (25 percent of \$1,000) is exempted from the reduction.
- Borrowers seeking forgiveness would list \$400 as the ... reduction for that employee (the extra \$50 weekly reduction multiplied by eight weeks).

# **IRF 136** - 5f. How should borrowers seeking loan forgiveness account for the reduction based on a reduction in the number of employees . . . . . . relative to the reduction relating to salary and wages . . . ?

To ensure that borrowers are not doubly penalized, the salary/wage reduction applies only to the portion of the decline in employee salary and wages that is not attributable to the FTE reduction.

... the salary/wage reduction applies only to the portion of the decline in employee salary and wages that is not attributable to the FTE reduction.

... Congress intended to distinguish between an FTE reduction on the one hand and a reduction in hourly wages or salary on the other hand.

### IRF 136 - 5f. Example

- An hourly wage employee had been working 40 hours per week during the borrower selected reference period (FTE employee of 1.0)
- and the borrower reduced the employee's hours to 20 hours per week during the covered period (FTE employee of 0.5).
- There was no change to the employee's hourly wage during the covered period.
- Because the hourly wage did not change, the reduction in the employee's total wages is entirely attributable to the FTE employee reduction
- and the borrower is not required to conduct a salary/wage reduction calculation for that employee.

**IRF 136** - 5g. If a borrower restores reductions made to employee salaries and wages or FTE employees by not later than June 30, 2020, can the borrower avoid a reduction in its loan forgiveness amount?

Yes

**IRF 136** – 5h. Will a borrower's loan forgiveness amount be reduced if an employee is fired for cause, voluntarily resigns, or voluntarily requests a schedule reduction?

No

#### **SBA Resources**

#### Texas Gulf Coast Small Business Development Center (SBDC)

713-752-8444

www.sbdc.uh.edu

#### WBEA Women's Business Center (WBC)

713-681-9232

<u>www.wbea-</u> <u>texas.org/womens-business-</u> center

#### **Houston SCORE**

713-487-6565

www.houston.score.org

#### For EIDL Loan Applicants

- 1-800-659-2955
- (TTY: 1-800-877-8339)
- e-mail <u>disastercustomerservice@sb</u> <u>a.gov</u>

#### **Houston District Office - SBA**

- 713-773-6500
- Houston@sba.gov
- Twitter: @SBA\_Houston

#### **Other SBA District Offices**

www.sba.gov/about-sba/sba-locations